



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: JULY 6, 2021**

FROM: DIRECTOR OF EMERGENCY SERVICES **WARDS: ALL**

SUBJECT: CITY OF RIVERSIDE LOCAL ORDERS, RESOLUTIONS AND POLICIES RELATED TO THE COVID-19 PANDEMIC

ISSUE:

Receive an update on the City of Riverside's local orders, resolutions and policies tied to the COVID-19 pandemic.

RECOMMENDATIONS:

That the City Council:

1. Receive a report on the City of Riverside local orders, resolutions and policies tied to the COVID-19 pandemic; and
2. Provide direction on next steps for transitioning away from orders and resolutions that will terminate at the end of the local emergency declaration.

BACKGROUND:

On March 4, 2020, Governor Newsom declared a state of emergency for the State of California as a result of the threat of COVID-19. On March 11, 2020, Governor Newsom issued his policy recommending the cancellation of public gatherings of 250 people or more and limitations on gatherings of people to 10 people or fewer, and delaying or canceling meetings where attendees cannot observe at least six feet of "social distance" from one another.

On March 8, 2020, the Riverside County's Public Health Officer declared a local health emergency based on an imminent and proximate threat to public health from the introduction of a Novel Coronavirus (COVID-19) in Riverside County. On March 10, 2020, the County of Riverside ratified the local emergency.

On March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic.

On March 13, 2020, President Trump declared the COVID-19 pandemic a national emergency.

On March 13, 2020, the City declared a local emergency to increase its efforts to protect the public from COVID-19. The City's Proclamation of Local Emergency notes that "there exists conditions of

a disaster or of extreme peril to the safety of persons or property within the territorial limits of the City of Riverside that are beyond the control of the services, personnel, equipment and facilities of the City for the reason of COVID-19.” The City Council ratified that declaration on March 17, 2020.

Establishing a local emergency provides the Director of Emergency Services with certain powers and abilities outlined in Riverside Municipal Code (RMC) 9.20.050 and State law. These powers include the ability to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency; provided, however, such rules and regulations are confirmed at the earliest practicable time by the City Council. The local emergency in and of itself is a vehicle in case there is a need to issue orders or other items quickly.

RMC section 9.20.060 requires the City Council to review the local emergency at least every 30 days until the local emergency is terminated and proclaim the termination of the local emergency at the earliest possible date that conditions warrant. In accordance with RMC section 9.20.060, the City Council has reviewed the Proclamation of Local Emergency and voted to continue the Local Emergency 17 times since April 7, 2020.

Fortunately, the pandemic is continuing to improve. On June 15, 2021, the Governor re-opened the California economy and lifted most of the State’s COVID-19 restrictions, including physical distancing requirements, capacity limits on businesses, and the County tier system; however, the State and County emergency declarations continue to remain in place to allow officials to respond quickly if pandemic conditions start to worsen and to receive federal funding dedicated to responding to the COVID-19 pandemic.

On June 15, 2021, the City Council voted to continue the City’s Proclamation of Local Emergency and return to City Council within 30 days or sooner with a further review of the local emergency. The Council will reconsider the local emergency again on July 13, 2021. The United States, California and County of Riverside (and neighboring cities) have active declarations of emergency as of the date of publication of this report. The City Council also requested staff bring forward a list of orders and resolutions enacted since the proclamation of local emergency for their review and discussion on next steps for how to transition out of orders that will end with the termination of the local emergency.

DISCUSSION:

Since the Proclamation of Local Emergency, the Director of Emergency Services has enacted 19 orders and the City Council has passed several resolutions and policies intended to protect the welfare of Riverside’s residents and the community at large. The majority of these orders were short term and have since expired or were amended or superseded by subsequent state and local actions. However, there are a few existing orders and policies that remain in effect and are tied to the termination of the local emergency.

A full list of the orders, resolutions and policies related to the local emergency are attached to this report. The items highlighted in green (rows 1, 3, 20 and 21) are still active and have an approved transition period in place following the termination of the local emergency. The items highlighted in red (rows 6, 9, 22 and 25) are also still active; however, they do not have an approved transition period and are scheduled to end immediately upon the termination of the local emergency.

Staff has reviewed the list of active orders and provided recommendations for a transition plan upon the termination of the local emergency. A summary of the active orders and staff’s recommendations is provided in the table below.

ORDER/ RESOLUTION #	COMMON TITLE	SHORT SUMMARY	STATUS	RECOMMENDATION FOR TRANSITION
2020 COVID-19 Order No. 1	Declaration of Local Emergency	Proclamation of local emergency regarding Novel Coronavirus	Active	Continue local emergency while state emergency remains in effect
2020 COVID-19 Order No. 3	Extension of Expiration Date for Entitlements and Construction Permits	Extend the expiration dates for City issued entitlements and construction related permits by an additional 60- days	Active - expiration of City issued entitlements and construction related permits extended by six months after lifting of Local Emergency	Once the Emergency Declaration ends, staff will add the extension to the "Time Extension" deadline that automatically calculates time extensions when requested.
2020 COVID-19 Order No. 6	Suspension of Delivery Restrictions for Food Products, Pharmaceutical s, and Emergency Necessities	Suspension of all local ordinances and/or conditions of approvals restricting the delivery of food products, pharmaceuticals, and other emergency necessities distributed to grocery stores and other retail or institutional channels, including hospitals, restaurants and schools during the term of the Local Emergency.	Terminates at end of Local Emergency	No transition period recommended
2020 COVID-19 Order No. 9	Resilient Workplace	Establishes a resilient workplace by creating equitable staffing program that complies with all State, County and City orders in order to help slow down the spread of COVID-19; workplans may be revised at any time by Director of Emergency Services during the local emergency	Terminates at end of Local Emergency	Utilize the existing Telecommute Program (HR Policy II-11) for Exempt employees. Staff is currently working on policy amendment to include new parameters and disaster service worker related language. In addition, staff has drafted a non- exempt policy to present to our bargaining partners.
2021 COVID-19 Order No. 18	Revised Outdoor Dining, Service Uses and Retail	Revised Order of the Director of Emergency Services for outdoor dining, service uses and retail due to County of Riverside transitioning into Orange Tier of CA's Blueprint for Safer Economy on April 7, 2021 - Amend Temporary Outdoor Flex Space Permit Program; modifies program with guidelines related to gatherings, live performances and entertainment.	Active - terminates 30 days after end of Local Emergency	Updating the Temporary Outdoor Flex Space Program, Order and Resolution to reflect the State's extension of ABC licensing and encouragement of outdoor dining through the end of the year. The new Order and Resolution will provide a 30-day grace period beyond the end of the year. PW is also leading a study for Permanent Outdoor Dining that will be heard by LUSR in July.
2021 COVID-19 Order No. 19	Expiration of Temporary	The Order extends any existing Temporary Outdoor Flex Space Permit for 30	Active	For Entertainment Permits, the 120 no fee grace period started on

ORDER/ RESOLUTION #	COMMON TITLE	SHORT SUMMARY	STATUS	RECOMMENDATION FOR TRANSITION
	Outdoor Flex Space Permit Program and Extension of the Entertainment Permit Grace Period	days following the termination of the local emergency and provides businesses with 120 days to apply for an Entertainment Permit without any cost.		June 2, 2021 and expires October 1, 2021 at which time the fee will not be waived. All uses with a Conditional Use Permit that allows entertainment must transition to the Entertainment Permit which is a program led by RPD.
	Suspension of Utility Shutoffs	Suspension of discontinuance of water, electric, sewer, and refuse utility service for non-payment for 30-days and extend further if declared local emergency continues	Terminates at the end of the Local Emergency	RPU is taking revisions to an already approved RESTART plan (approved last summer when the pandemic was expected to be only a few months) to help our customers with bill repayment and how to avoid discontinuation of service to the RPU Board Customer Relations/Finance Committee on 6/21/2021. After receiving feedback from the Committee, the RESTART item will be discussed with the full Board on 7/14/21. The program discussion will then be presented to City Council for review and approval at the first meeting in August.
Resolution No. 23569	Protections for Essential Workers of Grocery, Pharmacy, Retail and Other Applicable Businesses	Establishes temporary protections for essential workers and the general public in relation to grocery and pharmacy retail establishments.	Terminates at the end of Local Emergency	No transition period recommended

Staff is requesting that the City Council review the list of active orders and recommendations and provide direction on next steps for transition following the termination of the local emergency.

FISCAL IMPACT:

The fiscal impact associated with the local emergency and related orders is unknown at this time.

Prepared by: Al Zelinka, Director of Emergency Services
 Approved as to form: Kristi J. Smith, Interim City Attorney

Attachment: COVID-19 Orders, Resolutions and Policies